

ELLIOTT & ELLIOTT, P.A.
ATTORNEYS AT LAW
1508 LADY STREET
COLUMBIA, SOUTH CAROLINA 29201
selliott@elliottlaw.us

SCOTT ELLIOTT

TELEPHONE (803) 771-0555
FACSIMILE (803) 771-8010

February 14, 2020

VIA E-FILING

Ms. Jocelyn D. Boyd
Chief Clerk of the Commission
SC Public Service Commission
P. O. Drawer 11649
Columbia, SC 29211

RE: Petition of Bridgestone Americas Tire Operations, LLC for an Order
Compelling Dominion Energy South Carolina to Allow the Operation of a
1980 kW AC Solar Array as Authorized By State Law
Docket No. 2020- -E

Dear Ms. Boyd:

Enclosed please find for filing the Petition for Order on behalf of the Bridgestone Americas Tire Organization, LLC, ("BATO or "Petitioner") in the above-captioned matter.

If you have questions, please do not hesitate to contact me.

Sincerely,

ELLIOTT & ELLIOTT, P.A.

Scott Elliott

SE/lbk
Enclosure

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

DOCKET NO. 2020- -E

IN RE: Bridgestone Americas Tire)	
Operations, LLC,)	
Petitioner,)	PETITION FOR ORDER
v.)	
)	
Dominion Energy South Carolina,)	
Inc.)	
Respondent.)	
)	

Bridgestone Americas Tire Operations, LLC (“BATO”) hereby petitions the Public Service Commission of South Carolina (“Commission”) for an order requiring Dominion Energy South Carolina (“DESC”) to authorize the operation of a 1980 kW AC solar array constructed in Aiken County, South Carolina. BATO files this Petition pursuant to S.C. Code Ann. Sections 58-27-1940, 58-27-980, and 58-58-27-460(C) and S.C. Code Reg. Sections RR. 103-824 and 825 of the Commission’s Rules and Regulations and other applicable Rules and Regulations of the Commission.

1. BATO is a limited liability company organized under the laws of the State of Delaware and is authorized to conduct business in the state of South Carolina as a foreign corporation in good standing with the South Carolina Secretary of State. BATO employs approximately 10,600 employees throughout the United States and operates seven U.S. tire manufacturing facilities, including two facilities in Aiken County, South Carolina. In particular, BATO operates a passenger and light truck tire manufacturing plant in Graniteville, South Carolina

where it employs approximately 1730 employees and contractors at a 2.78 million square foot facility located on a 585-acre site. BATO is constructing an expansion at its Graniteville site which would increase the size of the Graniteville manufacturing plant by 366,000 square feet. BATO also operates an off-road tire plant in Trenton, South Carolina where it employs approximately 450 employees in a 1.5 million square foot facility located on a 545-acre site. BATO is a valued employer and manufacturing citizen of South Carolina.

2. BATO's Aiken County plants are served by DESC and the parties duties and obligations are governed by a contract for electric service last amended in January of 2012 and approved by the Commission. The contract provides, *inter alia*, that BATO's service installations shall be made in accordance with the terms and conditions of the contract. BATO's tire manufacturing process requires the consumption of considerable amounts of electricity. BATO's Graniteville plant operations consume more electricity than any of its other tire manufacturing facilities in the United States. The Graniteville plant's electricity consumption will only increase after completion of the plant expansion.

3. To protect itself from rising utility costs and in furtherance of its commitment to renewable energy, BATO investigated installing a Solar Array at its Graniteville plant in 2017. BATO studied the possibility of constructing a solar array to be interconnected to and to be operated in parallel with SCE&G's (now DESC's) distribution and transmission system, but chose not to build the solar array after it missed the opportunity to participate in SCE&G's Bill Credit Agreement program. Remaining committed to renewable energy, in 2018 BATO decided to construct a 1980 kWAC Solar Array which did not interconnect to or operate in parallel with DESC's system. The electricity generated by the Solar Array would not be net metered or sold to DESC but consumed exclusively by BATO's operations at its Graniteville plant. In so doing,

BATO retained the services of a consultant and engineering team to design the plant in accordance with DESC's technical specifications as required by the parties' contract for electric service.

4. In October of 2018, BATO constructed a Solar Array at its Graniteville plant at a cost of approximately \$2.7 million with a capacity of 1980 kW AC. The Solar Array will provide BATO with the opportunity to manage its electrical consumption and will contribute to reductions in the peak electrical demand. The Solar Array is designed to supplement about 1.5% of fossil fuel-based energy needed for the plant and will eliminate 1,400 metric tons of CO₂ emissions annually. BATO estimates that when operational, the Solar Array would offset its electricity costs by \$20,000 per month. However, the Graniteville plant's increased demand for electricity, due to its expansion, will not be fully offset by the operation of the Solar array. The Solar Array will assist BATO in meeting its goal of reducing its global CO₂ emissions 35% by 2020 and 50% by 2050 using renewable energy sources.

5. The Solar Array is designed to provide BATO with sufficient electricity to operate the Graniteville plant when the manufacturing processes are idle. The Solar Array is directly connected to the Graniteville plant's powerhouse and is not interconnected to DESC's equipment and facilities or its distribution and transmission system. Because the Graniteville plant will consume all the electricity generated by the Solar Array, it will not interfere with DESC's equipment and facilities or its distribution and transmission system. Nevertheless, to further protect and safeguard DESC's equipment and facilities and its distribution and transmission system, DESC required BATO to install reverse power flow protection relays preventing electricity from being inadvertently transmitted from the Solar Array to DESC's equipment and facilities or to its distribution and transmission system. The Solar Array was also constructed in accordance with the General Terms and Conditions, Specifications for Service and Meter

Installations set out in the contract for electric service between BATO and DESC approved by this Commission. The Solar Array was constructed in compliance with all Federal, State and local codes as well as the regulations of the Commission. The Solar Array provides for the protection and safekeeping of DESC's equipment and facilities. DESC representatives acknowledge that the Solar Array meets these requirements.

6. Having met all of DESC's requirements for the Solar Array's construction, DESC and BATO both agreed that the Solar Array as designed was not subject to the South Carolina Generator Interconnection Procedures ("SC GIP").¹ However, DESC subsequently reversed its position and refused to allow the operation of the Solar Array, requiring instead that the Solar Array be treated as if it were subject to SC GIP. DESC forced BATO to file an interconnection application and take its place in the interconnection queue. BATO's Solar Array is in 375th place in the queue and DESC representatives have refused to inform BATO when its Solar Array will be allowed to operate. BATO representatives have made every effort to resolve its dispute with DESC, but DESC has failed to and refuses to recognize that the Solar Array is not governed by the SC GIP.

7. The Solar Array is not interconnected to DESC's transmission system and does not operate in parallel with DESC's system. By design, the Solar Array cannot be operated for the purposes of net metering, the sale of output to DESC or the sale of electricity to third parties. The Solar Array is constructed to generate electricity solely for self-consumption onsite by BATO and does not operate in parallel to DESC's distribution and transmission system. Consequently, the

¹ The authority by which the Commission may promulgate standards for the interconnection of renewable energy facilities, S.C. Code Ann. Section 58-27-460, does not empower the Commission to regulate self-consuming energy facilities like the Solar Array. Indeed, the South Carolina General Assembly amended S.C. Code Ann. Section 58-27-460 in 2019 to clarify the scope of the Commission's authority and confirm that self-consuming energy facilities are exempt from the interconnection regulations.

Solar Array is not subject to the South Carolina Generator Interconnection Procedures approved by Order No. 2016-191 in Docket No. 2015-362 E. Moreover, because electricity generated from the Solar Array is consumed exclusively by BATO, it is not subject to regulation by the Federal Energy Regulatory Commission ("FERC"). 16 U.S.C. Section 824.

8. Nevertheless, DESC refuses to allow BATO to operate the Solar Array. DESC's actions violate S.C. Code Ann. Section 58-27-460, Order No. 2016-191 and the parties' contract for electric service. The Petitioner is informed and believes it is entitled to an order of this Commission requiring DESC to allow the operation of the Solar Array at the Graniteville plant.

9. In the alternative, if it would allow for a more expeditious resolution of this issue, BATO hereby requests the Commission to use its authority to grant a waiver of the SC GIP requirements. BATO is informed and believes that a waiver of the SC GIP requirements is in the public interest. The Solar Array has been constructed at considerable cost and also provides for the protection and safekeeping of DESC's equipment and facilities. The Solar Array does not and cannot transmit electricity onto DESC's distribution and transmission system. Continued delay in allowing the Petitioner to operate the Solar Array deprives the Petitioner of the benefit of the cost savings and its investment in renewable energy. Granting a waiver would advance solar development in South Carolina, advance the State's policy of encouraging direct investments by customers for their own energy needs and renewable goals, advance the State's policy of protecting customers from rising utility costs, advance the State's policy of reducing electrical consumption in a manner that contributes to reductions in utility peak electrical demand, and expedite the reduction in carbon emissions.

10. BATO's counsel in this proceeding, to whom all notices, pleadings, and communications in this matter should be directed, are as follows:

Scott Elliott, Esq.
Elliott & Elliott, P.A.
1508 Lady Street
Columbia, SC 29201
(803) 771-0555
(803) 771-8010 (F)
selliott@elliottlaw.us

Robert David Boon II, Esq.
Bridgestone Americas Tire Operations, LLC
200 4th Avenue South
Nashville, Tennessee 37201
(615) 937-5786
Email: BoonRobert@bfusa.com

WHEREFORE, Petitioner respectfully requests that the Commission issue its order,

- (a) Ruling that the Solar Array is not subject to the South Carolina Generator Interconnection Procedures;
- (b) In the alternative, waiving the requirements of SC GIP on the operations of the Solar Array;
- (c) Requiring Respondent, DESC to allow the operation of the Solar Array; and
- (d) For such other and further relief as the Commission deems just and reasonable.

Respectfully submitted, this the 14th day of February 2020.



Scott Elliott, Esquire
Elliott & Elliott, P.A.
1508 Lady Street
Columbia, SC 29201
Phone: (803) 771-0555
Fax: (803) 771-8010
Email: selliott@elliottlaw.us

***Counsel for Petitioner, Bridgestone Americas Tire
Operations, LLC***